

E-FILED 11/9/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SHARON WYATT ET AL.,
Plaintiffs,
v.
CREDIT CARE, INC. ET AL.,
Defendants.

NO. C 04-03681 JF (RS)

**ORDER GRANTING MOTION
TO COMPEL DEPOSITION OF
MIKE GURNEY**

Before the Court is plaintiff's motion to compel the deposition of defendant Mike Gurney. Pursuant to Local Civil Rule 7-1 (b), the Court finds this matter suitable for disposition without oral argument and will GRANT the motion. Gurney's prior counsel was granted leave to withdraw in this action, and it appears that Gurney has effectively failed to participate in the litigation since that time. Plaintiff has shown that Gurney failed to appear for a properly noticed deposition or to engage in meet and confer negotiations. Gurney filed no opposition to the motion. Accordingly, good cause appearing, IT IS HEREBY ORDERED THAT: Mike Gurney shall appear for deposition on reasonable notice by plaintiff, within 20 days of the date of this order. Counsel for

1 plaintiff shall make reasonable efforts to contact Gurney and to reach agreement as to when the
2 deposition shall take place.

3
4 IT IS SO ORDERED.

5 Dated: November 9, 2006


RICHARD SEEBORG
United States Magistrate Judge

United States District Court
For the Northern District of California

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

2 O. Randolph Bragg rand@horwitzlaw.com, shannon@horwitzlaw.com

3 Ronald Wilcox ronaldwilcox@post.harvard.edu

4 **AND A COPY OF THIS ORDER WAS MAILED TO:**

5 Mike Gurney
18385 Old Monterey Road.
6 Morgan Hill, CA 95073-3050

7 **Dated: November 9, 2006**

Chambers of Judge Richard Seeborg

8
9 **By:** /s/ BAK